

**Amendments to the Claims:**

This claim listing replaces all prior versions of the claims in the application:

**Claim Listing**

1.(Currently Amended) An upper torso protector apparatus comprising:

a shell assembly, the shell assembly comprising:

first and second halves for placement over shoulders of a user, thereby enabling the apparatus to protect the upper torso of the user;

a protector plate connecting the first and second halves;

fasteners adjacent opposing edges of the first and second halves for movably fastening the first and second halves with the protector plate, thereby allowing the first and second halves to move relative to one another;

at least one spring element for strengthening an inner shoulder portion of the shell assembly; and

a cushioning pad fastened to the shell assembly, the cushioning pad comprising a laminate including at least one impact absorbing layer comprising a foam material which allows air to flow therethrough, an outer fabric layer that reflects heat and an inner fabric layer that allows air to flow therethrough.

2. (Canceled)

3. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the outer fabric layer allows air to flow therethrough.

4. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the outer fabric layer functions as a radiant heat barrier.

5. (Currently Amended) The ~~protective pad~~ apparatus according to claim 4, wherein the outer fabric layer comprises an aluminum polyester.

6-9. (Canceled)

10. (Currently Amended) An upper torso protector apparatus comprising:

a shell assembly, the shell assembly comprising:

first and second halves for placement over shoulders of a user, thereby

enabling the apparatus to protect the upper torso of the user;

a protector plate connecting the first and second halves;

fasteners adjacent opposing edges of the first and second halves for

movably fastening the first and second halves with the protector plate, thereby

allowing the first and second halves to move relative to one another; and

a cushioning pad fastened to the shell assembly, the cushioning pad comprising an impact absorbing laminate including at least one substrate of visco-elastic polymer, at least one substrate of reticulated foam allowing air to flow therethrough and at least one substrate of foam beads allowing air to flow therethrough.

11. (Canceled)

12. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the at least one substrate of reticulated foam has a black color.

13. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the at least one substrate of foam beads are fused together only where the beads contact one another.

14. (Currently Amended) The ~~protective pad~~ apparatus according to claim 13, wherein the laminate further comprises an outer fabric layer that reflects heat.

15. (Currently Amended) The ~~protective pad~~ apparatus according to claim 14, wherein the laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.

16. (Currently Amended) The ~~protective pad~~ apparatus according to claim 13, wherein the

laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.

17. (Currently Amended) The ~~protective pad~~ apparatus according to claim 14, wherein the outer fabric layer allows air to flow therethrough.

18. (Currently Amended) The ~~protective pad~~ apparatus according to claim 17, wherein the outer fabric layer faces toward the shell assembly and comprises a light color.

19. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.

20. (Currently Amended) The ~~protective pad~~ apparatus according to claim 19, wherein the inner fabric layer faces away from the shell assembly and comprises a dark color.

21. (Canceled)

22. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the laminate further comprises a radiant heat barrier layer.

23. (Currently Amended) The ~~protective pad~~ apparatus according to claim 22, wherein the radiant heat barrier layer comprises an aluminized polyester.

24-28. (Canceled)

29. (Currently Amended) The ~~protective pad~~ apparatus according to claim ~~28~~ 10, wherein the at least one substrate of visco-elastic polymer includes at least one air ventilation aperture.

30. (Currently Amended) The ~~protective pad~~ apparatus according to claim ~~28~~ 10, wherein the laminate further comprises an outer fabric layer that reflects heat.

31. (Currently Amended) The ~~protective pad~~ apparatus according to claim 30, wherein the laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.
32. (Currently Amended) The ~~protective pad~~ apparatus according to claim 28 10, wherein the laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.
33. (Canceled)
34. (Previously Presented) An upper torso protector apparatus comprising:  
a shell assembly, the shell assembly comprising:  
first and second halves for placement over shoulders of a user, thereby enabling the apparatus to protect the upper torso of the user;  
a protector plate connecting the first and second halves;  
fasteners adjacent opposing edges of the first and second halves for movably fastening the first and second halves with the protector plate, thereby allowing the first and second halves to move relative to one another; and  
a cushioning pad fastened to the shell assembly, the cushioning pad comprising a laminate including at least three impact absorbing layers, at least one of the at least three impact absorbing layers allowing air to flow therethrough and at least one of the at least three impact absorbing layers comprising at least one substrate of visco-elastic polymer.
35. (Currently Amended) The ~~protective pad~~ apparatus according to claim 34, wherein the at least one substrate of visco-elastic polymer includes at least one air ventilation aperture.
36. (Currently Amended) The ~~protective pad~~ apparatus according to claim 34, wherein the laminate further comprises a radiant hear barrier layer.
37. (Currently Amended) The ~~protective pad~~ apparatus according to claim 36, wherein the

radiant heat barrier layer comprises an aluminized polyester.

38. (Currently Amended) The ~~protective pad~~ apparatus according to claim 34, wherein the laminate further comprises an outer fabric layer allows air to flow therethrough.

39. (Currently Amended) The ~~protective pad~~ apparatus according to claim 38, wherein the outer fabric layer faces toward the shell assembly and comprises a light color.

40. (Currently Amended) The ~~protective pad~~ apparatus according to claim 34, wherein the laminate further comprises an inner fabric layer, the inner fabric layer allowing air to flow therethrough.

41. (Currently Amended) The ~~protective pad~~ apparatus according to claim 40, wherein the inner fabric layer faces away from the shell assembly and comprises a dark color.

42. (Currently Amended) The ~~protective pad~~ apparatus according to claim 34, further comprising at least a second cushioning pad detachably fastened to an inner surface of the cushioning pad, the at least second cushioning pad comprising a laminate having at least one impact absorbing layer which allows air to flow therethrough.

43. (Currently Amended) The ~~protective pad~~ apparatus according to claim 42, wherein the laminate of the at least second cushioning pad further comprises outer and inner fabric layers.

44. (Currently Amended) The ~~protective pad~~ apparatus according to claim 43, wherein the outer and inner fabric layers of the laminate of the at least second cushioning pad each allow air to flow therethrough.

45. (Currently Amended) The ~~protective pad~~ apparatus according to claim 44, wherein the outer fabric layer of the laminate of the at least second cushioning pad faces toward the inner surface of the cushioning pad and comprises a light color and the inner fabric layer of the laminate of the at least second cushioning pad faces away from the inner surface of the cushioning pad and

comprises a dark color.

46. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the cushioning pad comprises one of a plurality of discrete cushioning pads forming a cushioning pad assembly.

47. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the cushioning pad comprises one of a plurality of discrete cushioning pads forming a cushioning pad assembly.

48. (Canceled)

49. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the first and second halves of the shell assembly are formed by a plurality of discrete protector panels.

50. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the first and second halves of the shell assembly are formed by a plurality of discrete protector panels.

51. (Canceled)

52. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the cushioning pad is fastened to the shell assembly with at least one snap fastener.

53. (Currently Amended) The ~~protective pad~~ apparatus according to claim 10, wherein the cushioning pad is fastened to the shell assembly with at least one snap fastener.

54-66. (Canceled)

67. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, further comprising a belt strap system for securing the apparatus to a user, the belt strap system comprising at least one cushioning pad comprising a laminate having at least one impact absorbing layer which

allows air to flow therethrough.

68. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the first and second halves of the shell assembly include a plurality of raised embossments.

69. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein at least one of the protector panels includes at least one raised embossment.

70. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein the protector panels comprise at least one chest protector panel that includes at least one raised embossment.

71. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein the protector panels comprise at least one back protector panel that includes at least one raised embossment.

72. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein the protector panels comprise at least one inner shoulder protector panel that includes at least one raised embossment.

73. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the first and second halves of the shell assembly are a pearlized white metallic color.

74. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the first and second halves of the shell assembly include a plurality of ventilation holes.

75. (Canceled)

76. (Currently Amended) The ~~protective pad~~ apparatus according to claim ~~75~~ 1, wherein the at least one spring element is fastened to the shell assembly with fasteners that allow the at least one spring element to swing laterally.

77. (Original) The ~~protective pad~~ apparatus according to claim 75 1, wherein the at least one spring element includes an impact absorbing layer.

78-80. (Canceled)

81. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the shell assembly includes a lower shoulder panel fastened to an inner shoulder area by two straps that cross one another.

82. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein the protector panels comprise a lower shoulder protector panel and an inner shoulder protector panel, the lower shoulder protector panel fastened to the inner shoulder protector panel by two straps that cross one another.

83. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein at least one of the protector panels includes a plurality of ventilation holes.

84. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein each of the protector panels has at least one of a predetermined size and a predetermined shape and wherein each of the protector panels can be individually replaced with a protector panel having one of at least a different predetermined size and a different predetermined shape.

85. (Currently Amended) The ~~protective pad~~ apparatus according to claim 49, wherein the cushioning pad comprises one of a plurality of discrete cushioning pads forming a cushioning pad assembly.

86. (Currently Amended) The ~~protective pad~~ apparatus according to claim 85, wherein each of the protector panels having at least one of a predetermined size and a predetermined shape and each of the protector panels being individually replaceable with a protector panel having at least one of a different predetermined size and a different predetermined shape.



87. (Currently Amended) The ~~protective pad~~ apparatus according to claim 86, wherein each of the cushioning pads having a predetermined size and a predetermined shape and each of the cushioning pads being individually replaceable with a cushioning pad having at least one of a different predetermined size and a different predetermined shape.

88. (Currently Amended) The ~~protective pad~~ apparatus according to claim 85, wherein each of the cushioning pads having a predetermined size and a predetermined shape and each of the cushioning pads being individually replaceable with a cushioning pad having at least one of a different predetermined size and a different predetermined shape.

89. (Currently Amended) The ~~protective pad~~ apparatus according to claim 1, wherein the cushioning pad comprises one of a plurality of discrete cushioning pads forming a cushioning pad assembly, each of the cushioning pads having a predetermined size and a predetermined shape and each of the cushioning pads being individually replaceable with a cushioning pad having at least one of a different predetermined size and a different predetermined shape.

90-160.(Canceled)

161. (Previously Presented) The protective shoulder pad apparatus according to claim 174, wherein the laminate further comprises a radiant heat barrier layer.

162. (Previously Presented) The protective shoulder pad apparatus according to claim 161, wherein the radiant heat barrier layer comprises an aluminized polyester.

163. (Currently Amended) ~~The protective shoulder pad apparatus according to claim 174, wherein the laminate further comprises~~ A protective shoulder pad apparatus comprising:  
a white shell assembly comprising:

first and second halves for placement over shoulders of a user;  
front and rear protector plates connecting the first and second halves;  
fasteners adjacent opposing edges of the first and second halves for

movably fastening the first and second halves with the front and rear protector plates, thereby allowing the first and second halves of the shell assembly to move relative to one another; and

a cushioning pad fastened to the shell assembly, the cushioning pad comprising:

an impact absorbing layer comprising at least one substrate of visco-elastic polymer;

at least one foam layer which allows air to flow therethrough;

an outer fabric layer facing toward the shell assembly; and

an inner fabric layer which allows air to flow therethrough,

the inner fabric layer facing away from the shell assembly.

164. (Previously Presented) The protective shoulder pad apparatus according to claim 163, wherein the at least one substrate of visco-elastic polymer includes at least one air ventilation aperture.

165. (Previously Presented) The protective shoulder pad apparatus according to claim 174, wherein the first and second halves of the shell assembly include a plurality of raised embossments.

166. (Previously Presented) The protective shoulder pad apparatus according to claim 174, wherein the first and second halves of the shell assembly are formed by a plurality of protector panels.

167-171. (Canceled)

172. (Previously Presented) The protective shoulder pad apparatus according to claim 174, wherein the first and second halves of the shell assembly include a plurality of ventilation holes.

173. (Canceled)

174.(Currently Amended) A protective shoulder pad apparatus comprising:

a white shell assembly comprising:

- first and second halves for placement over shoulders of a user;
- front and rear protector plates connecting the first and second halves;
- fasteners adjacent opposing edges of the first and second halves for movably fastening the first and second halves with the front and rear protector plates, thereby allowing the first and second halves of the shell assembly to move relative to one another;

- at least one spring element for strengthening an inner shoulder portion of the shell assembly; and

a cushioning pad fastened to the shell assembly, the cushioning pad comprising:

- at least one foam layer which allows air to flow therethrough;
- an outer fabric layer facing toward the shell assembly; and
- an inner fabric layer which allows air to flow therethrough, the inner fabric layer facing away from the shell assembly.